

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF SOUTH DAKOTA

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In re:	)	Bankruptcy Case No. 08-50154
	)	Chapter 7
JOSEPH (nmn) FIGUEORA,	)	
SSN/ITIN: xxx-xx-7795	)	
	)	
and	)	DEBTORS' RESPONSE TO THE
	)	TRUSTEE'S MOTION FOR
SAMMIE ALVA FIGUEORA,	)	TURNOVER
SSN/ITIN: xxx-xx-3732	)	
	)	
Debtors.	)	
	)	

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The Debtors, Joseph Figueora and Sammie Alva Figueora, file this response to the Trustee's Motion for Turnover dated June 30, 2009.

1. Debtors filed for relief under Chapter 7 on May 30, 2008.
2. An Order Discharging Debtor(s) was entered on August 26, 2008.
3. Included within the schedules filed by the Debtors was their personal residence located at 802 Custer Street, Belle Fourche, South Dakota 57717.
4. The Debtors valued their personal residence at \$74,769.00 which was the assessed value for the taxes payable in 2008.
5. Debtors scheduled a mortgage lien on the residence with Wells Fargo Bank in the amount of \$47,600.00.
6. Debtors scheduled an exemption for the personal residence on Schedule C in the amount of \$30,000.00.
7. Debtors purchased the house in 1999 for \$64,800.00.

8. Debtors dispute the contention of the Trustee that the property has doubled in value in less than 10 years, especially in the Bellevue Addition of Belle Fourche, Butte County, South Dakota and given the recent real estate "melt down".

9. The residence is what is referred to as a "Governor's house" and intended for low income buyers.

10. Debtors dispute the Trustee's contention that the property is undervalued.

11. Debtors contend that the Trustee's motion fails to state a claim upon which relief can be granted.

Wherefore, Debtors respectfully request that the Trustee's Motion for Turnover be denied.

Dated: July 8, 2009.

ANKER LAW GROUP, P.C.

/s/ Stan H. Anker

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CERTIFICATE OF SERVICE

I hereby certify that on this 8<sup>th</sup> day of July, 2009 I electronically filed the foregoing Debtors' Response to the Trustee's Motion for Turnover with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following parties in interest:

Forrest C. Allred                   forrest.allred@gmail.com

Bruce J. Gering                   ustpregion12.sx.ecf@usdoj.gov

Recovery Management Systems Corp.                   claims@recoverycorp.com

And on the same date, I served the foregoing pleading by United States mail upon:

Joseph and Sammie A. Figueora  
802 Custer Street  
Belle Fourche, SD 57717

/s/ Stan H. Anker

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Stan H. Anker, Esq.